

**Maryland General Assembly  
Department of Legislative Services**

**Proposed Regulations  
Board of Public Works  
(DLS Control No. 14-008)**

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## **Overview and Legal and Fiscal Impact**

The regulations alter the Standard Travel Regulations. The definitions of “in-State travel,” “out-of-country travel,” and “out-of-State travel” are altered. Also, changes are made to permit the use of certain travel promotions by employees and to alter the reimbursable expenses.

The regulations present no legal issues of concern.

The regulations may result in a minimal increase in State agency expenditures; there is no fiscal effect on local agencies.

## **Regulations of COMAR Affected**

### **Board of Public Works:**

Program Administration: Standard Travel Regulations:  
COMAR 23.02.01.02, .03, .10, and .12

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## **Legal Analysis**

### **Background**

The Standard Travel Regulations govern the approval and cost reimbursement for travel for official business undertaken by officials and employees of units of the Executive Branch of State government, except for certain elected officials and officials and employees of the University of Maryland System, Morgan State University, and St. Mary’s College of Maryland.

### **Summary of Regulations**

These regulations make several changes to the Standard Travel Regulations. The regulations alter a few definitions. “In-State travel” is altered to exclude travel to attend meetings with an employee’s federal regional counterpart in that federal regional district, but retains travel to Washington, D.C. “Out-of-country travel” is altered so that travel to Canada is considered to be out-of-country and “out-of-State travel” is altered to include travel to meetings with federal regional counterparts in that federal regional district.

The regulations also authorize an employee to accept certain promotional awards for travel, such as frequent flyer miles, as long as participation in those programs result in no extra

cost to the State. Also, the regulations provide that an employee who receives compensation for being bumped from a flight while travelling on official business must remit that compensation to the State.

The regulations alter the requirements for approval of certain out-of-country travel to provide that requests for approval of out-of-country travel in certain circumstances must be submitted to the Secretary of Budget and Management. The regulations also repeal a requirement that the Secretary inform the Board of Public Work regarding out-of-country travel every three months.

The regulations also alter provisions relating to reimbursable expenses. In order to be reimbursed for expenses other than authorized tips, an employee must provide receipts. The regulations provide that tips for certain taxi, bus, shuttle, and airport limousine services are reimbursable at rates set by the Secretary. The regulations clarify that meal allowance rates are to be inclusive of taxes and tips and a provision regarding meal reimbursement for the actual amount based on receipts is repealed. The regulations also specify that the Secretary may set limits for the reimbursement of porter fees and hotel tips and that the State will not reimburse for tips for hotel housekeeping services.

## **Legal Issue**

The regulations present no legal issues of concern.

## **Statutory Authority and Legislative Intent**

The Board of Public Works through the Secretary of Budget and Management cites § 10-203 of the State Finance and Procurement Article and §§ 14-104 and 14-404 of the Education Article as authority for these regulations. This authority is correct and complete. The regulations comply with the legislative intent of the law.

Section 10-203 of the State Finance and Procurement Article requires the Board of Public Works to adopt regulations in accordance with Title 10, Subtitle 1 of the State Government Article covering matters of business administration in the units of State government. The regulations may include provisions establishing uniform rates of mileage allowance and the regulations are binding on all the units of State government affected by the regulations.

Sections 14-104 and 14-404 of the Education Article exempt Morgan State University and St. Mary's College of Maryland from the provisions of Title 10, Subtitles 1 and 2 of the State Government Article, except for certain classified employee grievance appeals.

## **Fiscal Analysis**

The regulations may result in a minimal increase in State agency expenditures; there is no fiscal effect on local agencies.

### **Agency Estimate of Projected Fiscal Impact**

The department indicates that the regulations are clarifying in nature and have no fiscal effect. The Department of Legislative Services (DLS) concurs in part and disagrees in part. Specifically, the changes regarding travel promotional plans, including frequent flyer programs, have the potential to increase the cost of State business travel minimally. Under current regulations, employees must apply travel awards accrued under such plans during State business travel to other State business travel expenses, when feasible. That requirement is repealed, and employees are no longer required to apply those awards to other State business travel; only compensation for being bumped from a flight while on State business travel must be remitted to the State. To the extent that promotional awards earned on State business travel are not applied to future State business travel, State expenditures for business travel (all funds) may increase. However, DLS anticipates that any such increase is minimal.

### **Impact on Budget**

The regulations may result in a minimal increase in State expenditures for business travel. There is no effect on State revenues or on the State capital budget.

### **Agency Estimate of Projected Small Business Impact**

The department advises that the regulations have minimal or no economic impact on small businesses in the State. DLS concurs.

## **Contact Information**

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